

REMARKS

This paper and the accompanying Request for Continued Examination (RCE) are timely submitted in response to the final Office action dated February 13, 2009 (the “Final Office Action”).

Claims 39-40, 44-47, 49-57, 59-62, 64-65, 67, and 71-74 are pending in the application. Claims 66, 68, and 70 have been canceled in this paper.

Claims 39-40, 44-47, 49-57, 59-62, 64-65, 67, and 71-74 stand rejected.

The amendments add no new matter. Support for the amendments may be found throughout Applicant’s Specification and Drawings as originally filed, for example on p. 2, lines 17-18; p. 3, lines 6-8; p. 5, lines 4-8; p. 5, lines 19-22; p. 6, lines 4-6; p. 6, lines 20-24; p. 6, line 24—p. 7, line 2; p. 7, lines 12-13; p. 8, lines 21-22; and p. 9, lines 9-12.

While not conceding that the cited reference(s) qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respond as follows. Applicant reserves the right to establish that the cited reference(s), or other references cited thus far or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Applicant respectfully submits that the pending claims are allowable in view of the following remarks and the above amendments, and respectfully requests reconsideration of the pending rejections.

Examiner Interview

Applicant gratefully acknowledges the opportunity provided by the Examiner for telephone interviews between the Examiner and Applicant's undersigned representative on April 7, 2009. While no agreement was reached regarding the allowability of the pending claims, Applicant believes that the above amendments are consonant with the discussions between the Examiner and Applicant's representative. As agreed during the telephone interviews, Applicant submits these amendments along with the accompanying RCE for entry in the present application.

Rejections under 35 U.S.C. §§ 102(e) and 103(a)

Claims 64-65, 67, and 71-72 stand rejected under § 102(e) as purportedly being anticipated by U.S. Patent No. 6,870,921 issued to Elsey et al. ("Elsey"). Claims 39-40, 42, 44-47, 49-57, and 59-62 stand rejected under § 103(a) as purportedly being unpatentable over Elsey. Claims 71-74 stand rejected under § 103(a) as purportedly being unpatentable over Elsey in view of an article by Thomas, "Team-based Access Control (TMAC): A Primitive for Applying Role-based Access Controls in Collaborative Environments," pp. 13-19 (1997) ("Thomas").

Applicant has amended independent claims 39, 46, and 64. Applicant respectfully submits that the amended claims are allowable under §§ 102(e) and 103(a) because the cited portions of the reference do not disclose or fairly suggest each limitation of Applicant's claims.

For example, amended independent claim 39 includes an access control subsystem. The access control subsystem is configured to provide access to a user, but only when the user has an access authorization. The access authorization is based at least in part on the whether the user is in communication with a customer of a first tenant. Moreover, the access control subsystem is

configured to deny access to at least one other virtual database when the user has the access authorization to the first virtual database.

At least these limitations are absent from the cited portions of Elsey and Thomas, whether taken individually or in combination. Accordingly, Applicant respectfully submits that amended independent claim 39 and all claims dependent therefrom are allowable under §§ 102(e) and 103(a). At least for similar reasons, amended independent claims 46 and 64 and all claims dependent therefrom are also allowable under §§ 102(e) and 103(a).

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance and a notice to that effect is solicited.

Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5097.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. §§ 1.16 or 1.17, be charged to deposit account 502306.

Respectfully submitted,

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